

PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 1636**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Philippe CROS et al.

Group Art Unit: 1636

Application No.: 08/945,731

Examiner: W. Sandals

Filed: November 10, 1997

Docket No.: WPB 40330

For: NUCLEIC ACID ISOLATION

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated April 8, 1999, Applicants respectfully request withdrawal of the rejection and allowance of the application.

Claims 1-22 are rejected under 35 U.S.C. §103 over the combination of Itoh et al., Kausch et al., Kawaguchi et al. and Hoffman et al. Applicants respectfully traverse the rejection.

The present invention is directed to a process for the isolation of a nucleic material present in a sample by adsorption of the nucleic material onto a particulate support comprising a functionalized, particulate polymer having a lower critical solubility temperature (LCST) that is between 25 and 45°C. The polymer comprises: (a) a first water-soluble monomer of acrylamide or an acrylamide derivative; (b) a cross-linking agent; and